**IN THE UNITED STATES DISTRICT COURT**
**FOR THE EASTERN DISTRICT OF TEXAS**
**MARSHALL DIVISION**

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|---|---|---|
| **DATATREASURY CORPORATION,** | ) | |
| | ) | |
| **Plaintiff,** | ) | **Case No. 2:06-cv-72 (DF)** |
| | ) | |
| **v.** | ) | |
| | ) | |
| **WELLS FARGO & COMPANY, et al.,** | ) | |
| | ) | |
| **Defendants.** | ) | |
| | ) | |

**UNOPPOSED MOTION FOR LEAVE TO WITHDRAW ROSS R. BARTON AS COUNSEL FOR DEFENDANTS THE BANK OF NEW YORK COMPANY, INC. AND THE BANK OF NEW YORK**

The undersigned counsel respectfully moves this Court for an Order granting leave to withdraw Ross R. Barton as counsel for Defendants The Bank of New York Company, Inc and The Bank of New York (collectively "BNY" ), in the above-captioned matter. DataTreasury Corporation does not oppose this motion.

Mr. Barton's Application to Appear Pro Hac Vice was approved by this Court on January 31, 2007. As of March 7, 2007, Mr. Barton is no longer employed with the firm of Pillsbury Winthrop Shaw Pittman LLP, and as such, will not be associated with this case. BNY will continue to be represented by Messrs. William P. Atkins and Scott J. Pivnick of Pillsbury Winthrop Shaw Pittman LLP, and Ms. Jennifer Parker Ainsworth of Wilson Sheehy Knowles Robertson & Cornelius PC. Accordingly, we respectfully request that Mr. Barton be withdrawn as counsel for BNY in this matter.

Dockets.Justia.com

Respectfully submitted,

April 5, 2007

*/s/ Jennifer Parker Ainsworth*
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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 5, 2007. Any other counsel of record will be served by facsimile transmission and first class mail.

*/s/ Jennifer Parker Ainsworth*
Jennifer Parker Ainsworth

## CERTIFICATE OF CONFERENCE

Counsel for Defendants The Bank of New York Company, Inc and The Bank of New York certifies that she contacted counsel for the Plaintiff, and Plaintiff does not oppose this motion.

*/s/ Jennifer Parker Ainsworth*
Jennifer Parker Ainsworth